

reach. The CHC opposed this, recognizing that students entering the educational system at different stages acquire language proficiency at different speeds. The compromise bill gives students the flexibility to remain enrolled in bilingual education as long as is appropriate.

As part of the compromise, the bill requires students to be tested for English reading proficiency after their third year in bilingual education. However, school districts can obtain a waiver on a case-by-case basis to delay the test for two years. The results of the test will have no direct highstakes effects on individual students, but instead will be used to measure a school's progress and hold it accountable. If the school fails to meet performance objectives, it will be required to implement improvements including professional development and curriculum changes. These accountability measures promise to ensure that schools maintain effective bilingual programs.

The second issue area in H.R. 1 that the Hispanic Caucus worked very hard to achieve results in was migrant education. Migrant students have unique educational needs because of their families' need to periodically relocate in order to maintain employment.

The Conference Report expands education services for migrant students by increasing the authorized funding level of migrant education by \$30 million, from \$380 million to \$410 million for fiscal year 2002. While this funding level would fall short of meeting all existing needs, it is a significant step toward reversing the 11 percent decline in dollars spent per migrant pupil over the past two years.

This bill also helps migrant students by improving the way their academic and health records are transferred from one school to another. Although some States have developed and implemented their own student records systems, current failures and interruptions in records transfer result in delays in school enrollment and academic services for migrant students, discrepancies in student placement, and repeat immunizations of migrant children. Under the Conference Committee agreement, the Secretary of Education is directed to assist states in linking existing systems of interstate migrant student records transfer. This will help eliminate two serious problems faced by migrant students: (1) multiple unnecessary vaccinations, which create a serious health hazard, and (2) denial of high school graduation because high school credit records are missing.

Finally, the third issue area addressed by the Conference Report is high school dropout prevention. Addressing the dropout problem during this ESEA reauthorization has been of paramount importance to the CHC. Statistics show the dropout rate for Hispanic students is approximately 30 percent compared to only 10 percent for non-Hispanic white students. For LEP students, the dropout rate is approximately 50 percent. At this rate, the economic and social potential of an entire generation of Americans is at risk.

Students cite a variety of reasons for dropping out, such as the lack of qualified teachers, lowered expectations of minority students' academic potential, classes that fail to challenge them intellectually and the threat of "tracking." Currently, there are a variety of

programs which offer only piecemeal and inadequate solutions to the problem. The Conference Report takes a major step towards addressing the Hispanic dropout crisis by launching an innovative dropout prevention program that will comprehensively support proven measures to reduce high school dropout rates in schools predominantly serving low-income students. I would like to express my thanks Senator JEFF BINGAMAN, who introduced the program in the Senate, and all the conferees, for including this dropout prevention program in the final conference report.

In conclusion Mr. Speaker, I believe we are taking a great step for our children and our nation's future by passing this education reform bill. As President John F. Kennedy said, "Our progress as a nation can be no swifter than our progress in education." While we have more work to do to improve education, let us now appropriate sufficient funds to make the promise of H.R. 1 a reality, and be proud of what we have accomplished for our children's education in this session of Congress.

IN HONOR OF THE STUDENTS OF
CANYON CREST ELEMENTARY
SCHOOL

HON. CHRIS CANNON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2001

Mr. CANNON. Mr. Speaker, many of us have been dramatically affected by the tragic events of September 11th. As we have all learned to cope and express our feelings regarding this tragedy, there have been some shining stars that have risen beyond themselves in an effort to help others. One such group of people is the fifth and sixth grade students of Canyon Crest Elementary School in Provo, Utah.

These wonderful students felt overcome by the events witnessed that day. As the heroes of New York's police and fire departments bravely sacrificed many of their own to save the lives of those trapped in the towers and while many others worked at the Pentagon, these children all wished they could help but felt only helplessness as they watched over 3, 100 miles away. As their determination grew to assist in the recovery effort, these children felt that the best way for them to assist was to express their appreciation for the sacrifices of the heroes and their desire to comfort the many who lost loved ones through writing.

Their writings have been compiled in a book titled *From the Mountains . . .*. These touching and heartfelt accounts relate many of the feelings that all of us experienced during the attacks as well as during the weeks following.

Mr. Speaker, today I ask that you and our colleagues join me in honoring the students of Canyon Crest Elementary for their own heroic efforts to help us all to recover and rebuild in this great nation by showing us true patriotism and the meaning of freedom.

FAIR DEBT COLLECTION PRACTICES
TECHNICAL AMENDMENT
ACT OF 2001

HON. JUDY BIGGERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2001

Mrs. BIGGERT. Mr. Speaker, I rise to introduce a common-sense technical amendment to the Fair Debt Collection Practices Act. I am pleased that this bipartisan legislation is being cosponsored by my colleagues, Mr. SANDLIN of Texas, Mr. MOORE of Kansas, and CANTOR of Virginia.

For more than two decades, The Fair Debt Collection Practices Act of 1978 has successfully regulated and promoted ethical practices on the part of debt collectors throughout the United States. The Act prohibits abusive or harassing methods of debt collection, and it requires that debt collectors treat consumers fairly.

In 1986, the law was amended to include standards for attorneys who engage in debt collection, and in general, these new rules have worked well to protect consumers. But there is one small provision in the Fair Debt Collection Practices Act that inadvertently has made it more difficult—if not impossible—for an attorney to act as a debt collector and file documents with a court of law.

Under current law, attorneys face a "Catch-22" when they file a lawsuit against a debtor, and here's why.

The Fair Debt Collection Practices Act requires the inclusion of a specific warning notice in every document related to the debtor, including those filed with a court. This warning notice makes good sense; it provides the debtor with information about his or her rights and responsibilities.

But the inclusion of the information required by the Act often renders the document non-compliant with the rules of the court. As a result, attorneys are caught between a rock and hard place. They can include the warning on court documents and risk being in violation of the rules of the court, or they can exclude the warning and be in violation of the Fair Debt Collection Practices Act.

Even the agency responsible for enforcement of the Fair Debt Collection Practices Act, the Federal Trade Commission, has repeatedly acknowledged this dilemma. But the FTC cannot fix the problem administratively. The agency has recommended a narrowly tailored technical amendment to remedy the conflict between Federal law and the rules of the court. It is this technical amendment that I offer the House today.

Under my bill, attorneys no longer will be forced to choose between violating the rules of the court or violating the Fair Debt Collection Practices Act. They still will be required to include warning notices on all correspondence with debtors, but they will be allowed to omit the warning notices only on documents presented to the court. This simple and straightforward solution maintains the spirit and the intent of the Fair Debt Collection Practices Act while allowing attorneys to remain in compliance with the law and their professional standards.